

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|                          |   |                 |
|--------------------------|---|-----------------|
| UNITED STATES OF AMERICA | : | CRIMINAL ACTION |
|                          |   | NO. 08cr369     |
| vs.                      | : |                 |
|                          |   | CIVIL ACTION    |
| DARRYL BUCK              | : | NUMBER 11cv7569 |

O R D E R

**AND NOW**, this 8<sup>th</sup> day of May, 2012, upon consideration of the “Motion to Dismiss Petition Under 28 U.S.C. § 2255” filed by the government (Document No. 84) and the response filed by pro se petitioner Darryl Buck, and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the motion is **GRANTED** and Buck’s 28 U.S.C. § 2255 motion (Document No. 79) is **DISMISSED** pursuant to the appellate waiver in the guilty plea agreement.

s/William H. Yohn Jr.  
William H. Yohn Jr., Judge